

Sills Cummis & Gross

A Professional Corporation

The Legal Center
One Riverfront Plaza
Newark, New Jersey 07102
Tel: (973) 643-7000
Fax (973) 643-6500

Joseph B. Shumofsky, Esq.
Member
Direct Dial: 973-643-5382
Email: jshumofsky@sillscummis.com

101 Park Avenue
28th Floor
New York, NY 10178
Tel: (212) 643-7000
Fax: (212) 643-6500

April 23, 2024

VIA ECF

Honorable Michael A. Hammer
United States District Court
Martin Luther King Building & U.S. Courthouse
50 Walnut Street
Newark, NJ 07101

Re: *Nina Agdal v. Dillon Danis*, 23-CV-16873 (MCA)(MAH)

Dear Judge Hammer:

We represent Plaintiff Nina Agdal in the above-referenced matter. We are writing to raise an outstanding discovery issue with the Court. On November 16, 2023, Plaintiff issued documents requests to Defendant. On February 9, 2024, Defendant provided written responses to those requests, indicating documents thereafter would be produced. In subsequent communications, defense counsel represented that records were being reviewed for the purpose of producing responsive documents to Plaintiff. To date, however, Plaintiff still has not received any production of responsive records from Defendant. Additionally, on March 13, 2024, Plaintiff issued a second set of interrogatories to Defendant, which were due April 12, 2024. Plaintiff did not receive any response to those interrogatories from Defendant.

Defendant's failure to comply with his discovery obligations is delaying the continued progression of discovery in this case. Your Honor recently agreed to extend the fact discovery deadline by three months, until July 19, 2024. Plaintiff would like to avoid asking for any further extensions but receipt of records and responses from Defendant to the outstanding discovery requests are necessary to avoid further delay. Accordingly, Plaintiff respectfully asks Your Honor to order that Defendant must provide Plaintiff with his document production and responses to the second set of interrogatories by May 10, 2024.

Additionally, assuming Your Honor grant's that request, because Plaintiff then will not be receiving Defendant's outstanding documents production and responses to the supplemental

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interrogatories until likely May 10, 2024, Plaintiff also respectfully asks Your Honor to adjourn the date by which the parties must raise any discovery disputes with the Court (other than those arising during depositions) to June 14, 2024. Absent receipt and a reasonable opportunity for Plaintiff to review Defendant's outstanding discovery responses, Plaintiff is not in a position to bring potential discovery disputes to the Court's attention (after first trying to resolve any such disputes with Defendant).

Thank You for Your Honor's consideration of these requests.

Respectfully submitted,

/s/ Joseph B. Shumofsky

Joseph B. Shumofsky

cc: Counsel for Defendant Dillon Danis (via ECF and Email)

SO ORDERED on this _____ day of _____ 2024

Hon. Michael A. Hammer
United States Magistrate Judge